

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Higher Education – Vigilance Cell – Disiplinary Proceedings against Sri M.A.R.Sharief,(Retired)Principal, Government Junior College, Yelamanchili, Visakhapatnam District - Finalisation of disciplinary action under Rule 9 of Andhra Pradesh Revised Pension Rules 1980 – Imposition of Rs.10,000/- cut in the gratuity Of the Accused Officer - Final orders – Issued.

**HIGHER EDUCATION (VC.II) DEPARTMENT**

**G.O.Ms.No.81,**

**Dated: 12-6-2008.**  
**Read the following:-**

1. From the Secretary. T.D.P. Lr. Dir No. S/9/2003,Dt. 24-03-2003.
2. Govt. Memo No.114/VC.II/2004-6, dt.23.4.2005.
3. Explanation received from Sri M.A.R.Sharief, Principal (Retired), through Commissioner of Intermediate Education, Andhra Pradesh, Hyderabad Lr.Rc.No.Ser.I-A-2/89/2000, dt.6.12.2005.
4. Govt.memo No.114/VC.II/2004-7, dt.26.4.2006 and reminder dt.14.12.06, dt.26.6.07, dt.23.11.07 & 27.11.2007.
5. Letter Rc.No.Ser.I-A-2/89/2000,dt.30.11.2007 from the Commissioner of Intermediate Education, A.P., Hyderabad.
6. Govt..Memo No. 114/VC.II/2000-13, dated 03 -12-2007.
7. From the Secretary, APPSC., Hyderrabad Lr.No.186/RT-I/3/2008, dt. 14-5-2008.

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**ORDER:-**

The Government based on the regular enquiry report of Director General, Anti Corruption Bureau, have entrusted the case to Tribunal for Disciplinary Proceedings (TDP) for enquiry on the allegations against Sri M.A.R.Sharief, Principal (Retired), Government Junior College, Yelamanchili, Visakhapatnam District. The TDP has framed the following of 5 charges against the Accused Officer.

**CHARGE NO.1:** “ That you, Sri M.A.R.Sharief, while working as Principal Government Junior College, Yelamanchili, Visakhapatnam District. Actuated by corrupt motives and in abuse of your official position forcibly collected certain amounts from Schedules Caste, Scheduled Tribes and Backward Class Students at the time of issue of Scholarship cheques and when the illegal collection has come to light, you purchased steel almirahs and showed them that they have been donated by Scheduled Case and Backward Class hostel students, which act constitute a misconduct under Rule 2 (b) of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989 framed under the A.P.Civil Services (Disciplinary proceedings Tribunal)Act, 1960 as amended in 1993”.

**CHARGE NO.2:** “ That you, Sri M.A.R.Sharief, while working as Principal Government Junior College, Yelamanchili, Visakhapatnam District. actuated with by corrupt motives and in abuse of your official position failed to disburse the examination fee sanctioned to the eligible fresh and renewal scheduled case students for the years 1995-96 and 1996-97,which act constitute a misconduct under 2 (b) of A.P. Civil Services (Disciplinary Proceedings Tribunal ) Rules, 1989 framed under the A.P. Civil services (Disciplinary Proceedings Tribunal)Act, 1960 as amended in1993”.

**CHARGE NO.3:** “ That you, Sri M.A.R.Sharief, while working as Principal Government Junior College, Yelamanchili, Visakhapatnam District. actuated by corrupt motive and in abuse of your official position misappropriated a sum of Rs.1,351/-, Rs.2924/-, Rs,2714/- the sale proceeds of admission application Of the Intermediate for the years 1995-96,1996-97and 1997-98 respectively, which act constitute a misconduct under Rule 2 (b) of A.P. Civil Services (Disciplinary Proceedings Tribunal)Rules,

1989 framed under the A.P. Civil Services (Disciplinary Proceedings Tribunal) Act, 1960 as amended in 1993”.

**CHARGE NO.4:** “That you, Sri M.A.R.Sharief, while working as Principal Government Junior College, Yelamanchili, Visakhapatnam District. actuated by corrupt motive and in abuse of your official position have failed to collect the requisite fee of Rs.50/- for the group change from the students who changed the group during the year 1996-97 which act constitute a misconduct under Rule 2 (b) of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989 framed under the A.P. Civil Services (Disciplinary Proceedings Tribunal) Act, 1960 as amended in 1993”.

**CHARGE NO.5:** “That you, Sri M.A.R.Sharief, while working as Principal Government Junior College, Yelamanchili, Visakhapatnam District. actuated by corrupt motive and in abuse of your official position failed to deposit. In personal deposit account of the special fee amount of Rs.4769/- collected from the students for the year 1995-96 and misappropriated the same and committed misconduct under Rule 2 (b) of A.P. Civil Services (Disciplinary Proceedings Tribunal) Rules, 1989 framed under the A.P. Civil Services (Disciplinary Proceedings Tribunal) Act, 1960 as amended in 1993”.

2. The TDP in their final report in the reference first cited, has concluded that charge No.1 is technically proved and charges No.2 to 5 are not established.

3. The Government, after examining the report of TDP, has disagreed with the findings of the TDP in respect of the charges leveled against the Accused Officer and communicated a copy of the TDP report along with reasons of the disagreement to the charged officer in the reference 2<sup>nd</sup> cited to submit his representation within one month.

4. After receiving the explanation from the Accused officer in the reference third cited, the Government have observed that the Charged Officer has not given convincing reply to the said show-cause notice. The Charged Officer's contention that students themselves donated steel almirah is not convincing. The Charged Officer failed to disburse the examination fee to the eligible SC students. His argument that his successor could have arranged to disburse the amount to SC students does not stand to reason. Further, sale proceeds of admission application forms were misappropriated by the Charged Officer though the misappropriation is not in large scale.

5. In the above irregularity, the Government have proposed to impose a cut of Rs.10,000/- to be effected from his gratuity from the Charged Officer as his services are not satisfactory, besides recovery of loss caused to Government by the Charged Officer. Accordingly, for specifying the amount of loss caused to Government and to be recovered from the Accused Officer if any, the Commissioner of Intermediate Education, Andhra Pradesh, Hyderabad was requested to furnish the information to Government vide this office memo in the reference 4<sup>th</sup> cited. The Commissioner of Intermediate Education, Andhra Pradesh, Hyderabad has submitted his report on 30.11.2007 stating that no other specific loss has been caused to the Government.

6. After consideration of the material available, Government have decided provisionally to impose a cut of Rs.10,000/- from the gratuity of the charged Officer as his services are not satisfactory. Accordingly, a Show-cause Notice was served to Sri M.A.R.Sharief, Principal(Retired), Government Junior College, Yelamanchili, Visakhapatnam District specifying the penalty of a cut of Rs.10,000/- in his gratuity under Rule 9 of the A.P.Revised Pension Rules, 1980. After receipt of the Show-cause Notice, The Accused Officer has submitted his explanation to Government by denying the charges levels against him.

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7. The Government after careful examination of the matter have observed that the explanation of the individual is not convincing and have therefore decided to confirm the punishment proposed in the show cause notice on the accused officer in terms of Rule 9 of A.P. Revised Pension Rules 1980 and accordingly, the Government hereby impose the punishment of cut of Rs. 10,000/- in the gratuity payable to Sri M.A.R.Sharief, Principal (Retired), Government Junior College, Yelamanchili, Visakhapatnam.

8. The Director of Intermediate Education, A.P. Hyderabad, shall take necessary further action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**ASUTOSH MISHRA,  
PRINCIPAL SECRETARY TO GOVERNMENT.**

To

Sri M.A.R.Sharief, Principal (Retired) Govt.Junior College,28-5c Officials Colony,Ram Nagar, Yelamanchili-531055, Visakhapatnam District.(WE)  
The Director of Intermediate Education, Andhra Pradesh, Hyderabad .

**Copy to:-**

The Secretary, A.P. State Human Rights Commission, Gruhakalpa, M .J Road, Hyderabad

The Accountant General, A.P., Hyderabad.

The Secretary ,Andhra Pradesh Public Service Commission, Hyderabad  
PS to Hon`ble Minister(HE)/Prl.Secretary to Govt.,  
SF/SC.

//forwarded :: by order//

SECTION OFFICER.